

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

CR-12-27-BMM

Plaintiff,

vs.

**FINDINGS AND
RECOMMENDATIONS TO
DISMISS PETITION**

CHRISTOPHER STEVEN RITTER,

Defendant.

I. Synopsis

The United States accused Mr. Ritter of violating his conditions of supervised release by (1) smoking marijuana and (2) submitting a urine sample that tested positive for marijuana. The Court continued Mr. Ritter's revocation hearing for sixty days to give him an opportunity to show the Court that he could comply with the terms of his supervised release. Mr. Ritter met the Court's expectations during that time. The United States then moved to dismiss the Petition against him. Thus, the Court recommends that his petition be dismissed.

II. Status

Mr. Ritter pleaded guilty to Receiving an Unlicensed Firearm and Distribution of a Controlled Substance on May 22, 2012. (Doc. 52.) United States District Judge Sam Haddon sentenced him to seventy months in custody, with

forty-eight months of supervised release to follow, on September 10, 2012. (Doc. 89.) He began his current term of supervised release on July 22, 2016.

The United States Probation Office filed Report on Offender Under Supervision on August 22, 2016, informing the Court that Mr. Ritter admitted to smoking marijuana. (Doc. 167.) The Court allowed him to continue his supervision and referred him to grief counseling.

The Probation Office filed a second Report on Offender Under Supervision on September 22, 2016, informing the Court that Mr. Ritter again admitted to smoking marijuana. (Doc. 168.) The Court allowed him to continue his supervised release and increased his reporting and testing requirements to deter him from future drug use.

The Probation Office filed a third Report on Offender Under Supervision on October 12, 2106, after Mr. Ritter submitted a urinalysis that tested positive for alcohol. (Doc. 169.) The Court allowed him to continue his supervised release.

Petition

The Probation Office filed a Petition for Warrant for Offender Under Supervision on November 3, 2016, accusing Mr. Ritter of violating the conditions of his supervised release by (1) smoking marijuana and (2) providing a urine sample that tested positive for marijuana. (Doc. 172.)

Initial appearance

Mr. Ritter appeared before the undersigned for an initial appearance on November 15, 2016, in Great Falls, Montana. Federal Defender Anthony Gallagher accompanied him at the initial appearance. Assistant United States Attorney Jessica Betley represented the United States.

Mr. Ritter said he had read the petition and understood the allegations. He waived the preliminary hearing, and the parties consented to proceed with the revocation hearing before the undersigned. Mr. Ritter admitted to the violations. The Court continued Mr. Ritter's revocation hearing for sixty days to give him an opportunity to show the Court that he could comply with the terms of his supervised release.

Revocation hearing

The Court conducted the revocation hearing on January 17, 2017. The Court found that Mr. Ritter had successfully met the Court's expectations during the sixty-day period. The United States then moved to dismiss the Petition.

III. Analysis

The United States's motion should be granted because Mr. Ritter met the Court's expectations during the sixty-day period between his initial revocation hearing and his final revocation hearing.

IV. Conclusion

Mr. Ritter was advised that dismissal of his Petition would be recommended to Judge Morris.

The Court **FINDS:**

Christopher Steven Ritter complied with the terms of his supervised release during the sixty-day period between his initial revocation hearing and his final revocation hearing.

The Court **RECOMMENDS:**

The district court should grant the United States's motion to dismiss the Petition against Mr. Ritter.

DATED this 6th day of February, 2017.



John Johnston
United States Magistrate Judge